



## TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

January 6, 2017

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Subject: Abbreviated application of Specific Exemption for Transform® WG for the control of the Sugarcane Aphid (*Melanaphis sacchari*) in Sorghum in Texas.

Dear Ms. Maignan:

The Texas Department of Agriculture (TDA) requests a specific exemption under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended, for the use of Sulfoxaflor (Transform™ WG Insecticide, EPA Reg. No. 62719-625) to control the sugarcane aphid (*Melanaphis sacchari*) in Texas. This request is permitted as outlined in the authorization letter dated April 8, 2016, for File Symbol 16TX02.

This is the fourth year TDA has requested a specific exemption for this product. Dow AgroSciences has been notified and supports the registration. Dow AgroSciences submitted a section 3 application during 2013 and received a PRIA date for 2015. This application is needed due to the ongoing issues with the aphid in Texas.

The Department asks that this specific exemption request be processed as an expedited request. Additional information is provided with this request. TDA certifies that:

The emergency condition outlined in the request dated December 7, 2015, still exists for 2017. All information submitted in the 2015 request is still accurate. The proposed conditions of use are identical to those authorized in the April 8, 2016, authorization letter. A new alternative chemical or a nonchemical practice that offers a meaningful level of pest control for the sugarcane aphid has not become available for 2017. EPA has not made any extra conditions required for the re-certification for this use.

The Department incorporates by reference and relies on the last application previously submitted to EPA under File Symbol 14TX02, 15TX01 and 16TX02 to support this exemption request.

The Department certifies that pesticide applications will be made in accordance with, and incorporates by reference, all the use pattern provisions of its most recent specific exemption application for this use submitted in 2016 and the Agency's authorization letter of April 08, 2016, file symbol 16TX02. There are no changes and no threat to endangered species. The requirements of 40 CFR 166.20(a, b) along with supporting information are attached for your review. Thank you for your timely consideration of our exemption request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Phillip Wright", with a stylized, cursive script.

Phillip Wright  
Administrator for Agriculture and Consumer Protection

PW/ds